



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: DeOrnellas, et al.

Application No.: 10/045,318

Confirm. No.: 3120

Filed: November 9, 2001

Title: METHOD FOR USING A HARD MASK FOR  
CRITICAL DIMENSION GROWTH  
CONTAINMENT

PATENT APPLICATION

Art Unit: 1765

Examiner: L. Umez Eronini

Customer No. 23910

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**, on October 27, 2004.

Thomas A. Ward (Attorney Signature)  
Thomas A. Ward, Reg. 35,732  
Signature Date: October 27, 2004

**PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In the Office Action dated June 4, 2004, a shortened period for response was set to expire on September 4, 2004.

Pursuant to 37 C.F.R. §1.136(a), Applicant(s) hereby petition(s) the Commissioner for a two-month extension of time for responding to the Office Action up to and including November 4, 2004.

✓ Applicant(s) hereby claim small entity status under 37 C.F.R. § 1.27.

11/02/2004 HAL111 00000081 061325 10045318

02 FC:2252 215.00 DA

The amount of the petition fee set by 37 C.F.R. §1.17 is determined as follows:

Fee (Large Entity/Small Entity)	Extended Month
_____ \$ 110.00/\$ 55.00	First
<u>✓</u> _____ \$ 430.00/\$215.00	Second
_____ \$ 980.00/\$490.00	Third
_____ \$1,530.00/\$765.00	Fourth
_____ \$2,080.00/\$1,040.00	Fifth

TOTAL PETITION FEE \$215.00

The TOTAL PETITION FEE is included with the payment of other papers filed together with this petition.

The other papers enclosed or associated with this communication include:

✓\_\_\_\_\_ A reply to the Office Action was previously filed on September 7, 2004.

\_\_\_\_\_ A reply to the Office Action is filed herewith.

\_\_\_\_\_ A reply will be filed subsequently.

\_\_\_\_\_ A continuation application is filed herewith.

\_\_\_\_\_ A divisional application is filed herewith.

\_\_\_\_\_ A continuation-in-part application is filed herewith.

\_\_\_\_\_ A continued prosecution application is filed herewith.

✓\_\_\_\_\_ A Request for Continued Examination is filed herewith.

✓\_\_\_\_\_ "Small Entity" status for this application has previously been established.

\_\_\_\_\_ Other: \_\_\_\_\_

The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit  
Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: 10/27/04

By: Thomas A. Ward  
Thomas A. Ward, Reg. 35,732

FLIESLER MEYER LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone: (415) 362-3800